

Recognition of authorised legal translators in all  
Members States of the European Union by introducing  
minimum quality standards in legal interpreting.

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# Outline

1. How is the situation of authorized legal interpreters / translators today?
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3. What is the issue?
4. Quality standards, ISO 18841, ISO 20228, ISO 20771
5. Solutions: Spain and Germany
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# How is the situation of authorized legal interpreters / translators today?

At the moment, we do not have common quality standards for authorised interpreters / translators in the EU Member States. The goal of my dissertation is to define minimum quality standards in legal interpreting / translation which will be implemented in all Member States. Common quality standards will allow legal interpreters / translators to offer their services (written and spoken) on the whole internal market, which will have a positive impact on the free movement of Union citizens.

- Every member state appoints their own legal interpreters / translators on the basis of national requirements and regulations.
- In some countries legal interpreters provide interpreting (spoken) services and translation (written) services. In other countries a separate authorization is granted to legal interpreters and legal translators, however one person can obtain both authorizations.

# How is the situation of authorized legal interpreters / translators today?

## Criteria in Croatia to be appointed as a “permanent court interpreter = stalni sudski tumač”

1. send application to the president of the county court
2. university degree in any field
3. language competence C2
4. if no degree in law, proof of legal terminology in-front of a court committee
5. training in a professional association according to their training program, i.e. The association of sworn court interpreters ASCI
6. if all criteria were met, appointment by the county court president **for the territory of Croatia**
7. interpreter is listed in the electronic interpreter list (national register), the interpreter list is open to the public <http://www.sudacka-mreza.hr/tumaci.aspx>

**Directive 2010/64/EU** - every MS has to implement a national register of interpreters / translators

## Article 5

1. Member states shall meet the concrete measures to ensure that the interpretation and translation provided meets the quality required Article 2(8) and Article 3(9).
2. In order to promote the adequacy of interpretation and translation and efficient access thereto, **Member States shall endeavour to establish a register or registers of independent translators and interpreters who are appropriately qualified.** Once established, such register or registers shall, where appropriate, be made available to legal counsel and relevant authorities.

# EU Regulation 2016/1191

## Article 6

### Simplification of other formalities relating to translations

**2. A certified translation carried out by a person qualified to do so under the law of a Member State shall be accepted in all Member States.**

- According to the aforementioned article, translation (written) services shall be accepted in every Member State, no matter in which Member State was the translation performed.
- For instance, a translation performed in Austria, in Germany, or in Spain shall be accepted in all Member States.

# What is the issue?

→ Written translations are accepted in every Member State, however **spoken** interpreting services can not be provided in all Member States without additional examinations.

Two examples: Austria and Croatia

1. For instance, an authorised interpreter / translator from Croatia can not provide interpreting services in a court in Austria.
2. For instance, an authorised interpreter / translator from Austria can not provide interpreting services in a office of a notry public in Croatia.

# Quality standards

- Why do we have this problem?
  - Different quality standards in Members States
- What kind of common/international quality standards do we have?

# Quality standards

## **ISO 18841 (2018) Interpreting services – General requirements and recommendations**

→6 Qualifications & competences related to interpreting

## **ISO 20228 (2019) Interpreting services – Legal interpreting – Requirements**

→5 Competences and qualifications of legal interpreters

## **ISO 20771 (2020) Legal translation – Requirements**

→5 Competences and qualifications

→5.2 Required qualifications (meet at least one criteria)



# Spain

**Source: Studies on translation and multilingualism, The Status of the Translation Profession in the European Union, 7/2012**

## **3.5.5. Sworn translators from Spain, passage 3 on page 60/61**

Further, applicants who have been recognised as sworn translators in another EU country are also recognised as sworn translators in Spain for the corresponding

language pair. According to ongoing research by Josep Peñarroja i Fa, President of the Asociación de Traductores e Intérpretes Jurados de Cataluña (2012), Spain is “the only country in Europe that officially allows recognition of our European colleagues, whereas there is no reciprocity in any of the other European countries.”<sup>158</sup> Since writing those lines, Peñarroja has nevertheless been recognised as “traducteur agréé par la Cour de cassation” in France (personal communication, 20 April 2012), suggesting that the asymmetry might not be complete.

# Germany

## Certification requirements and legal remedies : Berlin

### Temporary Services:

In addition, translators and interpreters who are legally domiciled in another member state of the European Union or in another contract state to the Agreement on the European Economic Area to work as a court interpreter or translator or a comparable activity, shall be registered – upon request – in the joint register of translators and interpreters if they wish to work in this capacity in Berlin on a temporary and occasional basis (temporary services) and if they present the necessary documentation. Such registration shall be made under the job description of the state of domicile and shall expire after 5 years unless an application for the respective extension has been filed.

The temporary services of language mediators must be provided under the job description used in the language of the state of domicile for said professional activity. Any mistaken identity with the description of generally sworn-in interpreters and authorized translators must be precluded.



SOURCE <https://www.justiz-dolmetscher.de//Recherche/de/Zulassungsvoraussetzungen/Berlin>

What should be undertaken to be eligible to work in all Member States as an authorised legal interpreter / translator?

**How about a common EU register of authorised interpreters / translators?**

# EU register of authorised interpreters / translators

Questionnaire in Croatia about quality standards and advantages of an EU register for authorised interpreters / translators.

Number of sent e-mails: 1000

Responses: 151

## **Some questions regarding quality standards**

1. What kind of education did you need to be appointed as an interpreter / translator (ISO 20771)
2. Do you work as an interpreter / translator in two countries?
3. General questions
4. Language competences
5. Translation competence
6. Technical competence
7. Thematic competence
8. Other competences
9. Organisational competences
10. General business competences
11. Ethical competences

## **Some questions regarding an EU register**

1. Defines minimum quality standards
2. Offers the same quality of spoken and written translations
3. More language pairs are offered to EU citizens
4. Offers better education opportunities in regards to further training
5. Offers the opportunity to work in other EU member states
6. Easier to find qualified employees since the authorisation is granted for the whole EU

Thank you for your kind attention